

ASSEMBLY BILL

No. 2673

Introduced by Assembly Member Bradford

February 21, 2014

An act to amend Section 1377 of the Penal Code, relating to civil compromise.

LEGISLATIVE COUNSEL'S DIGEST

AB 2673, as introduced, Bradford. Civil compromise: hit and run.

Existing law allows for the civil compromise of a misdemeanor offense if the person injured by the commission of the misdemeanor appears before the court and acknowledges that he or she has received satisfaction for the injury. On payment of the costs incurred, existing law allows the court to order all proceedings stayed and discharge the defendant from prosecution. Existing law prohibits civil compromise in certain cases, including, among others, cases involving domestic violence, elder abuse, and child abuse.

Existing law requires a driver of a vehicle involved in an accident resulting in the injury or death of another person to immediately stop the vehicle at the scene of the accident and requires a driver of a vehicle involved in an accident resulting only in damage to property to immediately stop the vehicle at the nearest location that will not impede traffic or jeopardize the safety of other motorists, among other requirements.

This bill would prohibit the civil compromise of a misdemeanor that was committed in violation of the above requirements to stop the vehicle at or near the scene of an accident.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1377 of the Penal Code is amended to
2 read:
3 1377. When the person injured by an act constituting a
4 misdemeanor has a remedy by a civil action, the offense may be
5 compromised, as provided in Section 1378, except when it is
6 committed as follows:
7 (a) By or upon an officer of justice, while in the execution of
8 the duties of his or her office.
9 (b) Riotously.
10 (c) With an intent to commit a felony.
11 (d) In violation of any court order as described in Section 273.6
12 or 273.65.
13 (e) By or upon any family or household member, or upon any
14 person when the violation involves any person described in Section
15 6211 of the Family Code or subdivision (b) of Section 13700 of
16 this code.
17 (f) Upon an elder, in violation of Section 368 of this code or
18 Section 15656 of the Welfare and Institutions Code.
19 (g) Upon a child, as described in Section 647.6 or 11165.6.
20 (h) *In violation of subdivision (a) of Section 20001 or*
21 *subdivision (a) of Section 20002 of the Vehicle Code.*